EXHIBIT B
PENDING CLAIMS AFTER ENTRY OF INSTANT AMENDMENT

1. (Three times amended) A method for the detection of a nucleic acid comprising the steps:

(a)- producing a plurality of amplificates of a section of the nucleic acid with the aid of two primers, one of which can bind to a first binding sequence (A) of one strand of the nucleic acid and the other can bind to a second binding sequence (C') which is essentially complementary to a sequence C which is located in the 3' direction from A and does not overlap A, in the presence of a probe with a binding sequence D which can bind to a third sequence (B) located between the sequences A and C or to the complement (B') thereof, wherein this probe contains a reporter group and a quencher group, using a polymerase having 5' nuclease activity, and

(b)- detecting the nucleic acid by measuring a signal which is caused by the release of the reporter group, wherein the amplificates have a length of less than 75 nucleotides.

2. The method of claim 1, wherein the binding sequence D of the probe does not overlap one of the binding sequences of the primers.

3. The method of claim 1, wherein at least one of the binding sequences is not specific for the nucleic acid to be detected.

4. The method of claim 1, wherein the total length of the amplificates formed with the aid of the primers have a length of less than 61 nucleotides.

5. (Twice amended) The method of claim 1, wherein the probe is labeled with a fluorescence quencher as well as with a fluorescent dye.

6. The method of claim 1, wherein at least one of the primers is not specific for the nucleic acid to be detected.

7. The method of claim 6, wherein two of the primers are not specific for the nucleic acid to be detected.

8. The method of claim 6, wherein the probe is not specific for the nucleic acid to be detected.

9. The method of claim 1, wherein nucleotides which are complementary to A, G, C and T are used in the amplification.

EXHIBIT B

Claim Amendment: Pending Claims After Entry of Instant Amendment

1. (Four times amended) A method for the detection of a nucleic acid comprising:

(a)- producing a plurality of amplificates of a section of the nucleic acid with the aid of two primers, one of which can bind to a first binding sequence A of one strand of the nucleic acid and the other can bind to a second binding sequence C' which is essentially complementary to a sequence C which is located in the 3' direction from A and does not overlap A, in the presence of a probe having a binding sequence D which can bind to a third sequence B located between the sequences A and C or to the complement thereof, wherein the probe contains a reporter group and a quencher group, using a polymerase having 5' nuclease activity; and

(b)- detecting the nucleic acid by measuring a signal which is caused by the release of the reporter group, wherein the amplificates have a length of 75 nucleotides or less, and the sequences located between the binding sequences A and C contains no nucleotides that do not belong to a sequence region E of the amplificate that is bound by binding sequence D of the probe.

2. The method of claim 1, wherein the binding sequence D of the probe does not overlap one of the binding sequences of the primers.

3. The method of claim 1, wherein at least one of the binding sequences is not specific for the nucleic acid to be detected.

4. The method of claim 1, wherein the total length of the amplificates formed with the aid of the primers have a length of less than 61 nucleotides.

5. The method of claim 1, wherein the probe is labeled with a fluorescence quencher as well as with a fluorescent dye.

6. The method of claim 1, wherein at least one of the primers is not specific for the nucleic acid to be detected.

7. The method of claim 6, wherein two of the primers are not specific for the nucleic acid to be detected.

8. The method of claim 6, wherein the probe is not specific for the nucleic acid to be detected.

9. The method of claim 1, wherein nucleotides which are complementary to A, G, C and T are used in the amplification.